

TABLE OF CONTENTS

	PAGE
ARTICLE I. ENACTING CLAUSE, TITLE, AND PURPOSES.	1
1.1 Enacting Clause.	1
1.2 Title.	1
1.3 Purposes	1
ARTICLE II. GENERAL PROVISIONS	3
2.1 Scope of Ordinance	3
2.2 Definitions.	3
2.3 Undefined Terms.	12
2.4 Application of Regulations	12
ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS	13
3.1 Establishment of Zoning Districts.	13
3.2 Official Zoning Map.	13
3.3 Interpretation of Zoning District Boundaries	13
ARTICLE IV. ZONING DISTRICT REGULATIONS.	14
4.1.1 Agricultural District (AG-1)	14
4.1.2 Recreation Open Space District (RC-1).	15
4.2.1 Suburban Residential District (RS-1)	17
4.2.2 Urban Residential District (RU-1).	17
4.2.3 One and Two Family Residential District (RS-2)	18
4.3.1 Local Commercial District (C-1).	20
4.3.2 General Commercial District (C-2).	21
4.4.1 Industrial District (I-1).	22
4.5 District Area, Yard, Height, and Bulk Regulations. . .	23a
ARTICLE V. SUPPLEMENTAL REGULATIONS	27
5.1 Purpose.	27
5.2 Sign Regulations	27
5.3 Off-Street Parking Requirements.	28
5.4 Conditional Uses	32
5.5 Site Plan Review and approval.	42
5.6 Nonconformities.	45
5.7 Performance Standards.	47

	PAGE
5.8 Storage of Materials.	50
5.9 Mobile Homes and Travel Trailers.	50
5.10 Visibility at Intersections.	51
5.11 Access to Public Streets.	51
5.12 Flood Plains.	52
5.13 Home Occupation.	52
5.14 Fences.	52
5.15 Temporary Use.	52
5.16 Essential Services.	53
5.17 Curb Cuts and Driveways.	53
ARTICLE VI. ADMINISTRATION OF THE ORDINANCE.	54
6.1 Purpose.	54
6.2 Administration.	54
6.3 Duties of Zoning Inspector.	54
6.4 Zoning Compliance Permits.	55
6.5 Certificate of Occupancy, Final Inspection.	56
6.6 Fees, Charges, and Expenses.	56
6.7 Violations and Penalties: Nuisance Per Se: Abate- ment	56
ARTICLE VII. BOARD OF APPEALS.	58
7.1 Board of Appeals Established.	58
7.2 Duties of the Board of Appeals.	58
7.3 Variance.	58
7.4 Interpretation of Zoning Ordinance.	60
7.5 Appeals of Board of Appeals.	60
ARTICLE VIII. AMENDMENT PROCEDURES.	62
8.1 Initiating Amendments and Fee.	62
8.2 Amendment Procedures.	62
8.3 Conformance to Court Decree.	62
ARTICLE IX. LEGAL STATUS.	63
9.1 Conflicts with Other Laws.	63
9.2 Validity and Severability Clause.	63
9.3 Period of Effectiveness.	63
9.4 Repeal of Ordinance.	63
9.5 Effect Date.	64

ARTICLE I

ENACTING CLAUSE, TITLE, PURPOSES

SECTION 1.1 - ENACTING CLAUSE

An Ordinance adopted under authority of, and in accordance with the provisions of the City and Village Zoning Act 207 of the 1927 Public Acts of Michigan, to establish comprehensive zoning regulations for Hanover Village, Jackson County, Michigan, and to provide for the administration, enforcement and amendment thereof, and the repeal of all ordinances in conflict herewith.

SECTION 1.2 - TITLE

This Ordinance shall be known and may be cited as "The Zoning Ordinance of Hanover Village." The Zoning Map referred to herein is entitled "Zoning Map, Hanover Village."

SECTION 1.3 - PURPOSES

This Ordinance has been established for the purpose of:

- A. Promoting and protecting the public health, safety, and general welfare;
- B. Protecting the character and stability of the agricultural, recreational, residential, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas;
- C. Preventing the overcrowding of land and undue concentration of population by regulating the intensity of use of land and the area of open spaces surrounding buildings and structures necessary to provide adequate light, air, and privacy to protect the public health;
- D. Lessening and avoiding congestion on public highways and streets;
- E. Providing for the needs of agriculture, recreation, residence, commerce, and industry in future growth to conform with the most advantageous uses of land, resources, and properties, with reasonable consideration of other things, the general and appropriate trend and character of land, building, and population development as studied and recommended by the Planning Commission (Plng. Comm.) and the Village of Hanover.

- F. Encouraging the most appropriate use of lands in accordance with their character and adaptability, and prohibiting uses which are incompatible with the character of development permitted within specified zoning district;
- G. Conserving the taxable value of land and structures;
- H. Conserving the expenditure of funds for public improvements and services;
- I. Protecting against fire, explosion, noxious fumes and odors, heat, dust, smoke, glare, noise, vibration, radioactivity, and other nuisances and hazards in the interest of the people;
- J. Providing for the completion, restoration, reconstruction, extension or substitution of non-conforming uses.

ARTICLE II
GENERAL PROVISIONS

SECTION 2.1 - SCOPE

Every building and structure erected, every use of any lot, building, or structure established, every structural alteration or relocation of an existing building or structure occurring, and every enlargement of or addition to an existing use, building, or structure occurring after the effective date of this Ordinance shall be subject to all regulations of this Ordinance, which are applicable in the zoning district in which such building, or structure, or lot is located.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building or structure on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance, provided that construction shall be completed within three hundred sixty-five (365) days of such effective date and be subject thereafter to the provisions of Section 5.6 of this Ordinance.

The adoption of this Ordinance shall not limit the construction of any building or structure for which a zoning permit had been obtained prior to the effective date of adoption or amendment of this Ordinance even though such building or structure does not conform to the provisions of this Ordinance, provided that work shall commence and be carried on within thirty (30) days of obtaining such permit and be subject thereafter to the provisions of Section 5.6 of this Ordinance.

SECTION 2.2 - DEFINITIONS

For the purpose of this Ordinance certain terms are herewith defined. When not inconsistent with the context, the present tense includes the future; the words used in the singular number include the plural number, and the plural, the singular. The word "shall" is always mandatory and not merely suggestive. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The words "used" or "occupied" include the words "intended", "designed", or "arranged" to be used or occupied.

2.2.1 Accessory Structure, Building, or Use:

A detached structure, building, or use on the same lot with, and of a nature customarily incidental and subordinate to the principal structure, building, or use.

2.2.2 Alley:

A public or private way not more than thirty-three (33) feet wide which affords only a secondary means of access to abutting property.

2.2.3 Alter:

Any structural change in the supporting or load bearing member of a building, such as bearing walls, columns, beams, girders, or floor joists.

2.2.4 Apartment:

A dwelling unit in an apartment house arranged, designed, or occupied as a residence by a single family, individual, or group of individuals.

2.2.5 Automobile Service Station:

Structures and premises used or designed to be used for the retail sale of fuels, lubricants, or grease, and other operating commodities for motor vehicles, including the customary space and facilities for the installation of such commodities; and including space for minor repair, or servicing such as polishing, washing, cleaning, greasing, lawn mower service, but not including bumping, painting, or refinishing thereof. Storage of motor vehicles shall not be for more than (30) thirty consecutive days.

2.2.6 Automobile Wrecking:

The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles, or their parts.

2.2.7 Basement:

A story of a building having more than one-half its height below grade.

2.2.8 Boarding House or Rooming House:

A dwelling where meals and/or lodging are provided for compensation to persons by pre-arrangement for definite periods of time.

2.2.9 Building:

An enclosed structure having a roof supported by columns, walls, or other devices and used for the housing, shelter, or enclosure of persons, animals, or chattels.

2.2.10 Building Height:

The vertical distance measured from grade to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the average height between eaves and ridges for gable, hip, or gambrel roofs.

2.2.11 Building Setback Line:

A line parallel to or concentric with property lines delineating the minimum allowable distance between the street right-of-way and the front of any building.

2.2.12 Central Sanitary Sewerage System:

Any person, firm, corporation, municipal department, or board duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public a sanitary sewerage disposal system from a central location or plant, but not including septic tanks.

2.2.13 Central Water System:

Any person, firm, corporation, municipal department, or board duly authorized to furnish and furnishing under federal, state, or municipal regulations to the public a central water system from a central location or plant.

2.2.14 District:

A portion of the Village of Hanover within which certain uniform regulations and requirements apply under the provisions of this Ordinance.

2.2.15 Drive-In Establishment:

A business establishment so developed that its retail or service character is primarily dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicles as well as within the building.

2.2.16 Dwelling Unit:

One or more rooms with independent cooking facilities designed as a unit for residence by only one family.

2.2.17 Dwelling - Single-Family:

A detached building other than a mobile home, designed for or occupied by one (1) family only, and shall have a minimum first floor area of 600 square feet.

2.2.18 Dwelling - Two-Family:

A detached building designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

2.2.19 Dwelling - Multiple-Family:

A building designed for or occupied by three (3) or more families living independently of each other with separate housekeeping and cooking facilities for each.

2.2.20 Easement:

Any private or dedicated public way other than a street or alley, providing a secondary means of access to a property having a width of not less than twenty (20) feet.

2.2.21 Essential Services:

The erection, construction, alteration, or maintenance by public utilities or municipal departments, commissions or boards, of underground or overhead gas, electric, steam or water transmission or distributing systems; collection, communication, supply or disposal systems; dams, weirs, culverts, bridges, canals, locks, including poles, wires, mains, drains, sewers, towers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals or signs and fire hydrants; and other similar equipment and accessories in connection therewith, for the general public health, safety, convenience, or welfare, but not including buildings or maintenance depots.

2.2.22 Family:

One or more persons living together in a room or rooms comprising a single housekeeping unit and related by blood, marriage, or adoption and including the domestic employees thereof. A family is distinguished from a group occupying a rooming-house, boarding-house, lodging-house, club, fraternity-house, hotel, motel, or tourist home.

2.2.23 Home Occupation:

An occupation that is traditionally and customarily carried on in the home being primarily incidental to the principal residential use.

2.2.24 Hotel:

A building containing guest rooms in which lodging is provided, with or without meals, for compensation and which is open to transient or permanent guests, or both, and where no provision is made for cooking in any guest room.

2.2.25 Junk Yard:

A structure or parcel of land where junk, waste, discard, salvage, or similar materials such as old iron or other metal, wood, lumber, glass, paper, rags, cloth, leather, rubber, bagging, cording, barrels, containers, etc., are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including auto wrecking yards, inoperative machines, used lumber yards, house wrecking, and structural steel materials, and equipment and including establishments for sale, purchase, or storage of salvaged machinery and the processing of used, discarded, or salvaged materials, for any thirty (30) consecutive days.

2.2.26 Kenne1:

Any lot or premises on which three (3) or more dogs, four (4) months old or more are confined either permanently or temporarily.

2.2.27 Lot:

A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area; and to provide such yards and other open spaces as herein required. Such lot may consist of a single lot of record; a portion of a lot of record; a combination of contiguous lots of record, or contiguous portions of lots of record; or a parcel of land described by metes and bounds.

2.2.28 Lot Area:

The area within the lot lines, but excluding that portion in a road or street right-of-way.

2.2.29 Lot Corner:

A parcel of land at the junction of and fronting or abutting on two or more intersecting streets.

2.2.30 Lot Depth:

The average distance between the front and rear line of a lot measured in the general direction of its side lot lines.

2.2.31 Lot Coverage:

The part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

2.2.32 Lot of Record:

A lot which is part of a subdivision and is shown on a map thereof which has been recorded in the Office of the Register of Deeds of Jackson County, or a lot described by metes and bounds, the deed to which has been recorded in said office.

2.2.33 Lot Through (Double Frontage):

An interior lot having frontage on two parallel or approximately parallel streets.

2.2.34 Lot Width:

The average width measured at right angles to the lots depth.

2.2.35 Mobile Home:

A detached portable residential dwelling unit with a floor area of at least four hundred (400) square feet, prefabricated on its own chassis and intended for long-term occupancy. The unit shall contain sleeping accommodations, a flush toilet, tub or shower, and eating and living quarters. It is designed to be transported on its own wheels or on a flatbed arriving at the site where it is to be occupied as a complete dwelling without permanent foundation and shall be connected to existing utilities. A travel trailer is not to be considered a mobile home.

2.2.36 Mobile Home Park:

A tract of land prepared and approved according to the procedures in this Ordinance to accommodate mobile homes on rented or leased lots.

2.2.37 Mobile Home Subdivision:

A legally platted residential subdivision accommodating mobile homes.

2.2.38 Motel:

Any establishment in which individual cabins, courts, or similar structures or units are let or rented to transients for periods of less than thirty (30) days. The term "motel" shall include tourist cabins and motor courts. A motor court or motel shall not be considered or construed to be either a multiple dwelling, a hotel, or a mobile home park.

2.2.39 Off-Street Parking:

A facility providing vehicular parking spaces with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for the parking of automobiles.

2.2.40 Parking Space, Area, Lot:

An off-street open area, the principal use of which is for the parking of automobiles, whether for compensation or not, or as an accommodation to clients, customers, visitors, or employees.

2.2.41 Quarry:

Any pit, excavation, or mining operation for the purpose of searching for or removing from the premises any earth, rock, sand, gravel, clay, stone, slate, marble, or other non-metallic mineral in excess of fifty (50) cubic yards in any calendar year, but shall not include an excavation preparatory to the construction of a structure or public highway.

2.2.42 Riding Academy:

Any establishment where horses are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch, or similar establishment.

2.2.43 Roadside Stand:

A structure temporarily operated for the purpose of selling produce primarily raised or produced on the premises where situated, and its use shall not make a commercial district, nor shall its use be deemed a commercial activity.

2.2.44 Sign:

Any device designed to inform, or attract the attention of persons not on the premises on which the sign is located; except, however, the following which shall not be included within this definition:

- a. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
- b. Flags and insignias of any government, except when displayed in connection with commercial promotion;
- c. Legal notices; identification, information, or directional signs erected or required by governmental bodies;
- d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
- e. Signs directing and guiding traffic and parking to private property, but bearing no advertising matter.

2.2.45 Sign Area:

The area of a sign consisting of the entire surface of any regular geometric form or combinations of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of such area.

2.2.46 Sign, On-Site:

A sign advertising a product for sale or a service to be rendered on the immediate premises where the sign is located.

2.2.47 Site Plan Review:

A review by the Planning Commission and the Village Council of certain buildings and structures that can be expected to have a significant impact on natural resources, traffic patterns, and on adjacent land usage.

2.2.48 Story:

That portion of a building included between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the floor and the ceiling above it.

2.2.49 Street:

A public or private thoroughfare which affords the principal means of access to abutting property having a right-of-way not less than sixty-six (66) feet in width.

2.2.50 Structure:

Anything constructed, erected or placed with a fixed location on the surface of the ground.

2.2.51 Travel Trailer:

A vehicle designed as a travel unit for occupancy as a temporary or seasonal living unit, capable of being towed by a passenger automobile and not exceeding four hundred (400) square feet in area.

2.2.52 Yard, Front:

An open, unoccupied space extending the full width of the lot between the front lot line and the nearest line of the principal building on the lot.

2.2.53 Yard, Rear:

An open, unoccupied space extending the full width of the lot between the rear line of the lot and the rear line of the principal building.

2.2.54 Yard, Side:

An open, unoccupied space on the same lot with the principal building, between the side line of the principal building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard, and if no front yard is required, the front boundary of the side yard shall be the front line of the lot.

SECTION 2.3 - UNDEFINED TERMS

Any term not defined herein shall have the meaning of common or standard use.

SECTION 2.4 - APPLICATION OF REGULATIONS

The regulations established by this Ordinance within each zoning district shall be the minimum regulations for promoting and protecting the public health, safety, and general welfare and shall not preclude the establishment of higher or more restrictive standards or requirements for the authorization of any conditional use permit, where such higher or more restrictive standards or requirements are found necessary by the Planning Commission to attain the purposes of this Ordinance.

ARTICLE III

ESTABLISHMENTS OF ZONING DISTRICTS

SECTION 3.1 - ESTABLISHMENT OF ZONING DISTRICTS

The Village of Hanover is hereby divided into the following zoning districts:

AG-1	Agricultural District
RO-1	Recreation Open Space District
RS-1	Suburban Residential District
RU-1	Urban Residential District
RS-2	One and Two-Family Residential District
C-1	Local Commercial District
C-2	General Commercial District
I-1	Industrial District

SECTION 3.2 - OFFICIAL ZONING MAP

The zoning districts as provided in Section 3.1 of this Ordinance are bounded and defined on a map entitled, "Official Zoning Map, of Hanover Village, Jackson County, Michigan, dated _____ which map, with all explanatory matter thereon, is hereby adopted as a part of this Ordinance.

3.2.1 Identification of Official Zoning Map:

The Official Zoning Map shall be identified by the signature of the Village President, attested by the Clerk.
The Official Zoning Map shall be located in the office of the Clerk and available for examination.

SECTION 3.3 - INTERPRETATION OF DISTRICT BOUNDARIES

Except where specifically designated on the Official Zoning Map, the zoning district boundary lines are intended to follow lot lines, the center lines of streets or alleys, the center lines of creeks, streams, or rivers, the center lines of streets or alleys projected, center lines of railroad rights-of-way lines, section lines, one-quarter section lines, one-eighth section lines, or a corporate limit line, all as they existed at the time of the enactment of this Ordinance, as subsequently modified and designated as such boundary line. Where a district boundary does not coincide with any of the above lines, the district boundary lines shall be dimensioned on the Official Zoning Map.

When the location of a district boundary is uncertain, the Board of Appeals shall interpret the exact location of the district boundary.

ARTICLE IV
ZONING DISTRICTS REGULATIONS

The intent, permitted uses, conditional uses, height, area, density, and sign regulations of each district are set forth in this section.

SECTION 4.1 - OPEN DISTRICTS

Open Districts are established to protect land best suited for open use from the encroachment of incompatible land uses, and to retain land suited for open space and recreation use for the future.

4.1.1 Agricultural District (AG-1)

The intent of this district is to set aside land suitable for agricultural development and agricultural related uses.

a. Permitted Uses:

1. General and specialized farming and agricultural activities except feedlots, but including the raising or growing and storage or preservation of crops, sod, and plants, trees, shrubs, and nursery stock.
2. Sale of agricultural products primarily raised or grown on the farm premises including roadside stand for said sales.
3. Single-family detached dwellings.
4. Home occupations only in accordance with the regulations specified in Article V, Section 5.13.

5. On-site signs only in accordance with the regulations specified in Article V, Section 5.2.
6. Essential services and structures of a non-industrial character, but not including maintenance depots and warehouses only in accordance with the regulations specified in Article V, Section 5.16.
7. Accessory uses or structures.

b. Conditional Uses:

1. Golf courses.
2. Group or organized camps, camping grounds, and general or specialized resorts.
3. Public and private nurseries, primary or secondary non-profit schools, and colleges and universities.
4. Convalescent homes, nursing homes, hospital, sanitariums, and orphanages.
5. Churches and other buildings for religious worship.
6. Cemeteries.
7. Golf driving ranges.
8. Animal hospitals.

c. Area, Yard, Height, and Bulk Requirements:


See Section 4.5.

4.1.2 Recreation Open Space District (RC-1):

The intent of this district is to set aside those lands which, because of their physical characteristics, would be suitable for recreation and open space use.

a. Permitted Uses:

1. Public or private parks, playground, or other recreation purpose.
2. Public and private conservation area and structure for the development, protection and conservation of open space, watersheds, water, soil, forest, and wildlife resources.

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3. A lot may be used for general and specialized farming and agricultural activities including the raising or growing of crops, products and food-stuffs, and provided that any lot that is kept as idle cropland shall be so treated as to prevent soil erosion by wind or water and so treated as to prevent excessive growth of obnoxious weeds and shrubs, and provided that any lot kept as non-cropland shall be so treated as to prevent soil erosion by wind or water.
 4. A lot may be used for the raising or growing of plants, trees, shrubs, and nursery stock.
 5. Essential services and structures of non-industrial character, but not including maintenance depots or warehouses.
- b. Conditional Uses:
1. Single-family dwellings.
 2. Transient amusement facilities.
- c. Area, Yard, Height and Bulk Regulations:

See Section 4.5.

SECTION 4.2 - RESIDENTIAL DISTRICTS

The Suburban Residential District, Urban Residential District, and One and Two-Family Residential Districts are designated principally for residential use and are limited to dwellings and uses normally associated with residential neighborhoods in order to encourage a suitable and healthy environment for family life. The residential districts are designed to regulate the location of residential uses and dwellings according to a well-considered plan which reflects the different types of residential uses and dwellings, the different densities of population and the intensity of land use desired; potential nuisances and hazards which may cause unhealthy conditions; and the relationship of residential uses and dwellings to other areas devoted to agricultural, commercial, or industrial use and to streets. The purpose of each residential district is further stated below.

4.2.1. Suburban Residential District (RS-1):

This district is designed to provide residential areas principally for moderate suburban densities where necessary urban services and facilities, including central sewerage and water supply systems, can be feasibly provided.

a. Permitted Uses:

1. Single-family detached dwellings.
2. Home occupations, only in accordance with the regulations specified in Article V, Section 5.13.
3. On-site signs, only in accordance with the regulations specified in Article V, Section 5.2.
4. Essential services, only in accordance with the regulations specified in Article V, Section 5.16.
5. Accessory uses or structures.

b. Conditional Uses:

1. Planned unit residential developments.
2. Country clubs, recreation centers, public swimming pools, parks, playgrounds, and playfields.
3. Churches and other buildings for religious worship.
4. Public and private nurseries, primary and secondary non-profit schools.
5. Essential service structures of a non-industrial character, but not including maintenance depots or warehouses.
6. Government- or community-owned buildings.
7. Golf courses, including golf driving ranges.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

4.2.2. Urban Residential District (RU-1):

This district is designed to provide areas principally for high-density single-family residential dwellings where necessary urban services and facilities can be feasibly provided, including central sanitary sewerage and central water systems.

a. Permitted Uses:

1. Single-family detached dwellings.
2. Home occupations only in accordance with regulations in Article V, Section 5.13.
3. On-site signs in accordance with regulations specified in Section 5.2.
4. Essential services in accordance with regulations specified in Section 5.16.
5. Accessory uses or structures.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Recreation centers, public swimming pools, parks, playgrounds, and playfields.
3. Churches and other buildings for religious worship.
4. Public and private nursery, primary and secondary non-profit schools.
5. Essential service structures of non-industrial character, but not including maintenance depots or warehouses.
6. Government- or community-owned buildings.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

4.2.3. One and Two-Family Residential District (RS-2):

This district is designed to permit a medium density of population and a medium intensity of land use in areas which abut or are adjacent to such other uses or amenities which support, complement, or serve such a density and intensity.

a. Permitted Uses:

1. One-family dwellings.
2. Two-family dwellings.
3. On-site signs, only in accordance with the regulations specified in Article V, Section 5.2.
4. Essential services, only in accordance with the regulations specified in Article V, Section 5.16.

5. Accessory uses or structures.
6. Home occupations, only in accordance with the regulations specified in Article V, Section 5.13.

b. Conditional Uses:

1. Planned-unit residential developments.
2. Public swimming pools, recreation centers, parks, playgrounds, and playfields.
3. Churches and other buildings for religious worship.
4. Public and private nurseries, primary and secondary non-profit schools, and colleges and universities.
5. Medical and dental clinics.
6. Hospitals, convalescent or nursing homes, sanitariums, and orphanages.
7. Essential service structures of a non-industrial character, but not including maintenance depots or warehouses.
8. Mobile home parks and subdivisions.
9. Officies.
10. Government- or community-owned buildings.
11. Funeral establishments.
12. Multiple-family dwellings.
13. Rooming houses and boarding houses.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

SECTION 4.3 - COMMERCIAL DISTRICTS

The Local Commercial District, and General Commercial Districts, are designed to limit compatible commercial enterprises at appropriate locations to encourage efficient traffic movement, parking, and utility service; advance public safety; and protect surrounding property. The commercial districts are designed to regulate the location of these business uses according to a well-considered plan which determined the types of such uses and the intensity of land, street and highway use in each such district; potential nuisances and hazards which may cause unsafe conditions; and the relationship of commercial uses to each other and to other areas devoted to agricultural, residential, or industrial use and to streets and highways. The purpose of each commercial district is further stated below.

4.3.1 Local Commercial District (C-1):

This district is designed to encourage planned and integrated groupings of stores that will retail convenience goods and provide personal services to meet regular and recurring needs of the neighborhood resident population. To these ends, certain uses, which would function more effectively in other districts and would interfere with the operation of these business activities and the purpose of this district, have been excluded.

a. Permitted Uses:

1. Personal services, including barber shops and beauty salons; medical and dental clinics; dry cleaners and self-service laundromats; and sale and repair shops for watches, shoes, radios, and televisions.
2. Business services including banks, loan offices, real estate offices, and insurance offices.
3. Offices of an executive, administrative, or professional nature.
4. Retail sale of foods, drugs, hardware, notions, books, and similar convenience goods.
5. On-site signs, only in accordance with the regulations as specified in Article V, Section 5.2.
6. Essential services and structures of a non-industrial character.
7. Accessory uses or structures.

b. Conditional Uses:

1. Planned-commercial unit developments.
2. Churches and other buildings for religious worship.
3. Government- or community-owned buildings, but not including schools.
4. Eating and drinking establishments, but not including drive-in types.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

4.3.2 General Commercial District (C-2):

This district is intended to encourage planned and integrated groupings of retail, service, and administrative establishments which will retail convenience and comparison goods and provide personal and professional services for the entire area and to accommodate commercial establishments which cannot be practically provided in a neighborhood commercial area.

a. Permitted Uses:

1. Any use permitted in the Local Commercial District.
2. Business schools; including dance schools, music schools, and art schools.
3. Indoor retail sales establishments.
4. Indoor commercial amusement and recreation services, including theaters, bowling alleys, and roller and ice skating rinks.
5. Eating and drinking establishments, but not including drive-in types.
6. Clubs and lodges.
7. Funeral homes.
8. Printing establishments.
9. On-site signs, only in accordance with the regulations as specified in Article V, Section 5.2.
10. Accessory uses or structures.
11. Essential services and structures of a non-industrial character.

b. Conditional Uses:

1. Automobile service stations and retail sale of gasoline.
2. Hotels or motels.

3. Small animal clinics.
4. Drive-in business services.
5. Churches and other buildings for religious worship.
6. Government - or community-owned buildings, but not including schools.
7. Sales, rental, and service of motor vehicles, trailers, and boats.
8. Country clubs, swimming pools, recreation centers, parks, and playgrounds.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

SECTION 4.4 - INDUSTRIAL DISTRICT

It is recognized by this Ordinance that the value to the public of designating certain areas for certain types of industrial uses is represented in the employment opportunities afforded to citizens and the resultant economic benefits conferred upon the Village of Hanover. In order that this value may be maintained and this use encouraged, this Ordinance has established a zoning district designed to regulate the location of industrial uses according to a well-considered plan which reflects the types of such uses and the intensity of land, street, and highway use in each such district; potential nuisances and hazards which may cause unsafe and unhealthy conditions; and the relationship of industrial uses to each other and to other areas devoted to agricultural, residential, or commercial use and to streets, highways, and other means of transportation. To these ends, certain uses which would function more effectively in other districts and would interfere with the operation of these industrial activities and the purpose of these districts have been excluded. The purpose of each industrial district is further stated below.

4.4.1 Industrial District (I-1):

This district is designed to provide suitable space for light industrial uses which operate in a safe, non-objectionable and efficient manner, and which are compatible in appearance with and require a minimum of buffering measures from adjoining non-industrial zoning district. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive and radioactive hazards, and other harmful or obnoxious matter.

a. Permitted Uses:

1. Wholesale merchandising or storage warehouses.
2. Vehicle repair garages, but not including auto junk yards.
3. Trucking terminals.
4. Farm machinery and equipment sales and repair.
5. Contractor's yard.
6. Industrial office buildings.
7. General service and repair establishments including dyeing, cleaning, or laundry works and upholstery or appliance repair.
8. Assembly and manufacture, from prefabricated parts, of household appliances, electronic products, machinery and hardware products, and similar products; or the processing or assembling of parts for production of finished equipment.
9. Skilled trade services including plumbing, electric, heating, printing, and painting establishments.
10. Research and testing laboratories.
11. Tool and Die manufacturing.
12. Light metal manufacturing.
13. Feed mill operation.
14. Essential services and structures.
15. On-site and off-site signs only in accordance with the regulations as specified in Article V, Section 5.2.

b. Conditional Uses:

1. Generally including those light manufacturing uses similar to the permitted uses in this district which do not create any more danger to health and safety in surrounding areas and which do not create any more offensive noise, vibration, smoke, dust, lint, odors, heat, or glare than that which is generally associated with light industries of the type specifically permitted.
2. Bulk oil storage.

c. Area, Yard, Height, and Bulk Regulations:

See Section 4.5.

SECTION 4.5
District Area, Yard, Height, and Bulk Regulations:

Zoning District	Zoning Symbol	LOT REQUIREMENTS			YARD REQUIREMENTS			MINIMUM BUILDING HEIGHT REQUIREMENTS		MINIMUM TRANSITION STRIP REQUIREMENTS	
		Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Front	Side	Rear	Principal	Accessory		
Agricultural	AG	1 Acre	200'	10%	35'	20' 35'*	50'	2½ stry. or 35'	80'	---	Single-family detached dwelling units.
		2 Acres									All other uses.
Recreational Open Space	RC-1	1 Acre	200'	10%	35'	20' 35'*	50'	2½ stry. or 35'	80'	----	Single-family detached dwelling units.
		2 Acres									All other uses.
Suburban Residential	RS-1	10,000 sq'	80'			10'		2½ stry. or 35'	25'		Single-family detached dwelling units with central sewerage and water systems.
		15,000 sq'	100'	30%	25'	25' tot. 35'*	20'			----	Single-family detached dwelling units without central sewerage and water systems.
		1 Acre	120'								All other uses.
Urban Residential	RU-1	7,500 sq'	50'	30%	25'	10' 25' tot.	25'	2½ stry. or 35'	25'	----	Single-family detached dwelling units.
One and Two Family Residential	RS-2	10,000 sq'	66'								Two-family detached dwelling units with central sewerage and water systems.
		15,000 sq'	120'	25%	25'	10' 25' tot. 35'*	25'	2½ stry. or 35'	25'	----	Two-family detached dwelling units without central sewerage and water systems.
		15,000 sq'	120'								15,000 sq' for first three dwelling units plus 2,000 sq' for each additional dwelling unit.
		½ Acre	120'								All other uses.
Local Commercial	C-1	10,000 sq' 15,000 sq'	100' 100'	25%	35'	20' 35'*	35'	35'	---		With central sewerage and water systems. Without central sewerage and water systems.
General Commercial	C-2					20'*** 35'***			---		With central sewerage and water systems. Without central sewerage and water systems.
Light Industrial	I-1	15,000 sq'	70'	25%	35'***	20'* 35'***	35'***	35'	---		

* Corner Lot.

** In Central Business District, no yard requirements or transition strips are required, only side yard and rear yard when abutting Residential District.

*** Only when abutting a Residential District.

4.5.1 Compliance with Regulations:

- a. No building or structure shall hereafter be erected or altered to exceed the height; to occupy a greater percentage of lot area; to have narrower or smaller rear yards, front yards, side yards, or other open spaces than prescribed for the district in which the building or structure is located.
- b. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth for the district in which the yard or lot is located. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- c. No part of a yard or other open space required for or in connection with, any structure for the purpose of complying with this Ordinance, shall be included as part of a yard or open space similarly required for any other structure.

4.5.2 Yard Measurements:

- a. Lots which abut on more than one street shall provide the required front yards along every street.
- b. All front, side, and rear yards shall be the minimum perpendicular distance measured from the principal structure, excluding all projections not exceeding six (6) feet in length from the structure wall.

4.5.3 Lot Width:

Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required lot width, except in the case of lots on the turning circle of cul-de-sacs, where the eighty (80) percent requirements shall not apply.

4.5.4 Height Exceptions:

Exceptions to the maximum height regulations for each district specified in this Ordinance may be permitted subject to the following provisions:

a. Height Limitations:

The limitations affecting the height of structures shall not apply to the following appurtenant appendages and structures provided they comply with all other provisions of this or any other applicable ordinances: Parapet walls, chimneys, smokestacks, church spires, flagpoles, radio and television towers, penthouses for mechanical equipment, and watertanks.

b. Increased Height:

Building height in excess of the height above average ground level allowed in any district may be permitted provided all minimum front, side, and rear yard depths are increased one (1) foot for each additional one (1) foot of height and provided that adequate fire protection can be demonstrated.

4.5.5 Accessory Structures:

- a. No detached accessory building or structure shall be located closer than ten (10) feet to any other building or structure.
- b. All detached accessory structures in any residential district shall be subject to the same dimensional requirements affecting the principal structure, except, however, such accessory structure may be placed not less than six (6) feet from any rear lot line or the rear yard portion of any side lot line; and shall not exceed twelve (12) feet in height.
- c. All accessory structures in non-residential districts shall be subject to the same standards and requirements as are required for all principal structures within such districts.

4.5.6 Distance Between Grouped Buildings:

In addition to the required setback lines provided elsewhere in this Ordinance, in group dwellings (including semi-detached and multiple dwellings) the following minimum distances shall be required between each said dwelling:

- a. Where buildings are front to front or front to rear, three (3) times the height of the taller building, but not less than seventy (70) feet.
- b. Where buildings are side to side, one (1) times the height of the taller building but not less than twenty (20) feet.
- c. Where buildings are front to side, rear to side, or rear to rear, two (2) times the height of the taller building but not less than forty-five (45) feet.

ARTICLE V

SUPPLEMENTAL REGULATIONS

SECTION 5.1 - PURPOSE

It is the purpose of this Article of this Ordinance to provide regulations and requirements that supplement the provisions contained under the respective district regulations in Article IV, and may or may not apply in all zoning districts.

SECTION 5.2 - SIGN REGULATIONS

5.2.1 General Sign Regulations:

- a. No sign shall be erected at any location, where by reason of the position, size, shape, color, movement, or illumination, may interfere with or obstruct the view of traffic, nor shall any sign be confused with any authorized traffic sign, signal, or device.
- b. All signs shall be designed, constructed, and maintained so as to be appropriate in appearance with the existing or intended character of their vicinity so as not to change the esthetic character of such area.
- c. In the Agricultural District, Recreation Open Space District, all residential districts, and Local and General Commercial Districts signs may be illuminated only by permanently fixed non-flashing light. Any light used to illuminate such signs shall be so arranged as to reflect light away from adjoining premises and streets. All signs shall be placed no closer to the street right-of-way line than one-half the minimum authorized front yard depth.
- d. Unless otherwise specifically stated, all signs shall conform to the yard and height requirements of the district in which said sign is located.

5.2.2 Signs for Automobile Service Stations:

Notwithstanding other provisions of this Ordinance, one (1) permanently installed sign shall be permitted on each street frontage, installed so that a clear view of street traffic by motorists or pedestrians may not be obstructed in any way to a height of sixteen (16) feet other than necessary supports, and not exceeding twenty-five (25) square feet in area. A sign or legend may also be placed flat on the main building or fuel pump canopies.

5.2.3 Elimination of Nonconforming Signs:

Nonconforming signs shall be eliminated or made to conform by the owner within five (5) years after the date of the enactment of this Ordinance.

SECTION 5.3 - OFF-STREET PARKING REQUIREMENTS

In all districts, there shall be provided at the time any building, structure, or use is established, enlarged, or increased in capacity, off-street parking spaces for motor vehicles with the requirements herein specified. Such off-street parking spaces shall be maintained and shall not be encroached upon by structures or other uses so long as the principal building, structure, or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

5.3.1 Plans:

Plans and specifications showing required off-street parking spaces, including the means of access and interior circulation, shall be submitted to the Zoning Inspector for review at the time of application for a zoning compliance permit for the erection or enlargement of a building.

5.3.2 Off-Street Parking Area Design:

- a. Each off-street parking space for automobiles shall be not less than two hundred (200) square feet in area, exclusive of access drives or aisles, and shall be of usable shape and condition.
- b. There shall be provided a minimum access drive of ten (10) feet in width, and where a turning radius is necessary, it will be of such an arc as to reasonably allow an unobstructed flow of vehicles.
- c. Parking aisles for automobiles shall be of sufficient width to allow a minimum turning movement in and out of parking space. The minimum width of such aisles shall be:
 1. For ninety (90) degree or perpendicular parking, the aisle shall not be less than twenty-two (22) feet in width.
 2. For sixty (60) degree parking, the aisle shall not be less than eighteen (18) feet.
 3. For forty-five (45) degree parking, the aisle shall not be less than thirteen (13) feet in width.
 4. For parallel parking, the aisle shall not be less than ten (10) feet in width.
- d. All off-street parking spaces shall not be closer than five (5) feet to any property line, except where a wall, fence, or compact planting strip exists as a parking barrier along the property line.

- e. All off-street parking areas shall be drained so as to prevent drainage to abutting properties and shall be constructed of materials which will have a dust-free surface resistant to erosion.
- f. Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential lot or institutional premises.
- g. Any off-street parking area providing space for five (5) or more vehicles shall be effectively screened on any side which adjoins or faces property adjoining a residential lot or institution, by a wall, fence, or compact planting not less than four (4) feet in height. Plantings shall be maintained in good condition and not encroach on adjoining property.
- h. All off-street parking areas that make it necessary for vehicles to back out directly into a public road are prohibited, provided that this prohibition shall not apply to off-street parking areas of one- or two-family dwellings.

5.3.3 Determining Requirements:

For the purposes of determining off-street parking requirements the following units of measurement shall apply:

a. Floor Area:

In the case where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, except that such floor area need not include any area used for parking within the principal building and need not include any area used for incidental service storage, installations of mechanical equipment, penthouse housing ventilators and heating systems, and similar uses.

b. Places of Assembly:

In stadiums, sports arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each eighteen (18) inches of such seating facilities shall be counted as one (1) seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.

c. Fractions:

When units of measurement determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.

5.3.4 Schedule of Off-Street Parking Spaces:

The minimum required off-street parking spaces shall be set forth in the following Schedule of Off-Street Parking Spaces. Where a use is not specifically mentioned, the parking requirements of a similar or related use shall apply.

<u>Use</u>	<u>Parking Space Requirements</u>
Automobile or Machinery Sales and Service Garages	One (1) space for each two hundred (200) square feet of showroom floor area plus two (2) spaces for each service bay plus one (1) space for each two (2) employees.
Bank, Business, and Professional Offices	One (1) space for each two hundred (200) square feet of gross floor area.
Barber Shops and Beauty Parlors	One (1) space for each chair plus one (1) space for each employee.
Bowling Alleys	Seven (7) spaces for each alley.
Churches, Auditoriums, Stadiums, Sports Arenas, Theaters, Dance Halls, Assembly Halls other than Schools	One (1) space for each four (4) seats.
Dwelling Unit	Two (2) spaces for each family or dwelling unit.
Funeral Homes and Mortuaries	Four (4) spaces for each parlor or one (1) space for each fifty (50) square feet of floor area plus one (1) space for each fleet vehicle, whichever is greater.

<u>Use</u>	<u>Parking Space Requirements</u>
Furniture, Appliance Stores, Household Equipment and Furniture Repair Shops	One (1) space for each four hundred (400) square feet of floor area.
Hospitals	One (1) space for each bed exclud- ing bassinets plus one (1) space for each two (2) employees.
Hotels, Motels, Lodging Houses, Boarding Homes	One (1) space for each living unit plus one (1) space for each two (2) employees.
Automobile, Service Stations	One (1) space for each eight hundred (800) square feet of floor area plus one (1) space for each four (4) employees.
Manufacturing, Fabricating, Processing and Bottling Plants, Research and Testing Laboratories	One (1) space for each two (2) employees on maximum shift.
Medical and Dental Clinics	One (1) space for each two hundred (200) square feet of floor area plus one (1) space for each employee.
Restaurants, Beer Parlors, Taverns, and Night Clubs	One (1) space for each two (2) patrons of maximum seating capacity plus one (1) space for each two (2) employees.
Self-service Laundry or Dry Cleaning Stores	One (1) space for each two (2) washing and/or dry cleaning machines.
Elementary and Junior High Schools, Private or Public	One (1) space for each employee normally engaged in or about the building or grounds plus one (1) space for each thirty (30) students enrolled.
Senior High School and Institutions of Higher Learning, Private or Public	One (1) space for each employee in or about the building or grounds plus one (1) space for each four (4) students.

<u>Use</u>	<u>Parking Space Requirements</u>
Super Market, Self-service Food and Discount Stores	One (1) space for each two hundred (200) square feet of floor area plus one (1) space for each two (2) employees.
Wholesale Establishments and Warehouses	One (1) space for each four hun- dred (400) square feet of floor area plus one (1) space for each two (2) employees.

SECTION 5.4 - CONDITIONAL USES

The formulation and enactment of this Ordinance is based upon the division of the Village of Hanover into districts in each of which are permitted specified uses which are mutually compatible. In addition to such permitted compatible uses however, there are certain other uses which may be necessary or desirable to allow in certain locations in certain districts, but because of their actual or potential impact on neighboring uses or public facilities, need to be carefully regulated with respect to their location for the protection of the Village of Hanover. Such uses, on account of their peculiar locational need or the nature of the service offered, may have to be established in a district in which they cannot be reasonably allowed as a permitted use.

5.4.1 Authority to Grant Permits:

The Planning Commission, as hereinafter provided, shall have the authority to recommend to the Village of Hanover to grant conditional use permits, subject to such conditions of design, operation, and safeguards as the Village of Hanover may determine for all conditional uses specified in the various district provisions of this Ordinance.

5.4.2 Application and Fee:

Application for any conditional use permit permissible under the provisions of this Ordinance shall be made to the Planning Commission through the Village of Hanover Clerk by filling in an official conditional use permit application form; submitting required data, exhibits, and information; and depositing the required fee as established by resolution of the Village of Hanover, except that no fee shall be required of any governmental body or agency. No part of such fee shall be returnable to the applicant.

5.4.3 Data, Exhibits, and Information Required in Application:

An application for a conditional use permit shall contain the applicant's name and address in full, a statement that the applicant is the owner involved or is acting on the owner's behalf, the address of the property involved; an accurate survey drawing of said property showing the existing and proposed location of all structures thereon, the types thereof, and their uses; and a statement of supporting data, exhibits, information, and evidence regarding the required findings set forth in this Ordinance.

5.4.4 Public Hearings:

The Planning Commission shall hold a public hearing upon any application for a conditional use permit, notice of which shall be given by one (1) publication in a newspaper of general circulation in the Village of Hanover, within fifteen (15) days but not less than three (3) days next preceding the date of said hearing.

5.4.5 Required Standards and Findings for Making Determinations:

The Planning Commission shall review the particular circumstances and facts of each proposed use in terms of the following standards and required findings, and shall find and record adequate data, information, and evidence showing that such a use on the proposed site, lot, or parcel meets the following requirements:

- a. Will be harmonious with and in accordance with the general objectives, intent, and purposes of this Ordinance.
- b. Will be designed, constructed, operated, maintained, and managed so as to be harmonious and appropriate in appearance with existing or intended character of the general vicinity.
- c. Will be served adequately by essential public facilities and services, such as: highways, streets, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- d. Will not be hazardous or disturbing to existing or future neighboring uses.
- e. Will not create excessive additional requirements at public costs for public facilities and services.

5.4.6 Determination and Imposition of Conditions:

If the facts in the case do not establish beyond a reasonable doubt that the findings and standards set forth in this Ordinance will apply to the proposed use, the Planning Commission shall not recommend to the Village of Hanover that said Village of Hanover should grant a conditional use permit. In recommending that a conditional use permit should be granted by the Village of Hanover, the Planning Commission shall recommend such conditions of use as it deems necessary to protect the best interest of the Village of Hanover and the surrounding property, and to achieve the objectives of this Ordinance.

5.4.7 Approval, Grant or Permit:

Upon holding a public hearing and the finding that the requirements of subsections 5.5.2 and 5.5.6 of this Ordinance have been satisfactorily met by the applicant, the Planning Commission shall within thirty (30) days recommend approval or disapproval to the Village of Hanover. When the Village of Hanover gives final approval, a conditional use permit shall be issued to the applicant. The Village of Hanover shall forward a copy of the permit to the applicant, Clerk, Zoning Inspector, and Planning Commission. The Zoning Inspector shall not issue a zoning compliance permit until he has received a copy of the conditional use permit approved by the Village of Hanover.

5.4.8 Voiding of Conditional Use Permit:

Any conditional use permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use is commenced within one hundred eighty (180) days and completed within three hundred and sixty-five (365) days of the date of issuance.

A violation of a requirement, condition, or safeguard shall be considered a violation of this Ordinance and grounds for the Planning Commission to terminate and cancel such conditional use permit.

5.4.9 Additional Development Requirements for Certain Uses:

A conditional use permit shall not be issued for the uses specified in this subsection unless complying with the site development requirements as herein specified. The Planning Commission may impose additional conditions and safeguards when deemed necessary by that body.

a. Mobile Home Park:

1. All mobile home parks shall comply with the Trailer Coach Park Act of 1959, being Act 243, Public Acts of Michigan, 1959, as amended.
2. Every mobile home park shall be served by a central water supply system and a central sanitary sewerage system.
3. The land area of a mobile home park shall not be less than ten (10) acres.
4. Mobile home sites shall be at least four thousand (4,000) square feet in area.
5. Each mobile home within such park shall contain a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections designed for attachments to appropriate external systems.
6. Each mobile home site shall have side yards with each such yard having a width of not less than ten (10) feet and the aggregate width of both said yards not less than twenty-five (25) feet.
7. Each mobile home site shall have front and rear yards with each such yard not less than eight (8) feet in width and the aggregate width of both said yards not less than twenty (20) feet.
8. For the purposes of this subsection, yard width shall be determined by measurement from the mobile home face (side) to its mobile home site boundary which, every point shall not be less than the minimum width herein provided. Open patios, carports, and individual storage facilities shall be disregarded in determining yard widths. The front yard is that yard which

runs from the hitch end of the mobile home to the nearest site line. The rear yard is at the opposite end of the mobile home and side yards are at right angles to the ends.

9. From all stands, the following minimum distance shall be maintained:
 - a. Ten (10) feet to the buffer strip.
 - b. Thirty (30) feet to the boundary of such park which is not a public street.
 - c. Fifty (50) feet to the right-of-way of any public street or highway.
 - d. Thirty (30) feet to any collector street of such park (parking bay or central parking drive not a collector street).
 - e. Fifteen (15) feet to any parking area designed for general parking in such park (general parking defines parking bays for other than park residents).
 - f. Fifty (50) feet to any service building in such park.
10. A mobile home shall not be permitted to occupy single or multiple sites if either its length or width would cause it to occupy any minimum yard area or minimum distance prescribed herein.
11. Each mobile home site shall be provided with a minimum stand consisting of a solid concrete four (4) inch apron not less than seventy (70) feet long nor less than fourteen (14) feet wide. This apron shall be so constructed, graded, and placed to be durable and adequate for the support of the maximum anticipated load during all seasons.
12. Each mobile home shall be supported on uniform jacks or blocks supplied by the mobile home park management.

13. An all-weather, hard-surfaced, outdoor patio area of not less than one hundred and twenty (120) square feet shall be provided at each mobile home site, conveniently located to the entrance of the mobile home and appropriately related to open areas of the lot and other facilities, for the purpose of providing suitable outdoor living space to supplement the limited interior spaces of a mobile home.
14. Each mobile home park shall include similarly designed enclosed storage structure or structures suitable for storage of goods and the usual effects of the inhabitants of such park, such storage space should not be less than one hundred and twenty (120) cubic feet for each mobile home. Such storage structure or structures may be located on the mobile home site or in a common structure with individual lockers.
15. Storage of goods and articles underneath any mobile home or out of doors at any mobile home site shall be prohibited.
16. On-site outdoor laundry space of adequate area and suitable location, shall be provided if park is not furnished with indoor dryers or if use of indoor dryers is not customarily acceptable to prospective occupants. Where outdoor drying space is required or desired, individual clothes drying facilities on each lot of the collapsible umbrella type of hanging apparatus shall be allowed, with park management providing a concrete-imbedded socket at each site.
17. All mobile homes within such parks shall be suitably connected to sewer and water services provided at each mobile home site, and shall meet the requirements and be approved by the Jackson County Health Department.
 - a. All sanitary sewage facilities, including plumbing connections to each mobile home site, shall be constructed so that all facilities and lines are protected from freezing, from bumping or from creating any type of nuisance or health hazard. Running water from a State-tested and approved supply, designed adequately from

a minimum flow shall be piped to each trailer. Sewer connections shall not exceed ten (10) feet in length above ground.

- b. Storm drainage facilities shall be so constructed as to protect those that will reside in the mobile home park, as well as the property owner adjacent to the park.

18. Disposal of garbage and trash.

- a. Any method used shall be approved by the State and inspected periodically by the Jackson County Health Department.
- b. Adequate incinerators, if provided, shall be conveniently located so as not to create a nuisance and be designed so that combustible materials will be reduced to an odorless gas and inorganic ash under any weather conditions.
- c. Trash not burned should be stored in a conveniently located similarly designed enclosed structure or structures. The removal of non-combustible trash shall take place not less than twice a week.

19. All electric, telephone, and other lines from supply poles, or other sources to each mobile home site shall be underground. The electrical system shall be of such voltage and of such capacity to adequately serve all users in the park at peak periods. When separate meters are installed, they shall be located in a uniform manner.

20. Any fuel oil and gas storage shall be centrally located in underground tanks, at a distance away from any mobile home site as it is found to be safe. All fuel lines leading to mobile home sites shall be underground and so designed as to conform with any State code that is found to be applicable. When separate meters are installed, each shall be located in a uniform manner.

21. A buffer of trees and shrubs not less than twenty (20) feet in depth shall be located and maintained along all boundaries of such park except at established entrances and exits serving such park. When

necessary for health, safety, and welfare, a fence shall be required. No fence shall be more than six (6) feet in height, to separate park from an adjacent property. At least one shade tree shall be provided at each site.

22. A recreation space of at least three hundred (300) square feet per mobile home site in the park shall be developed and maintained by the management. This area shall not be less than one hundred (100) feet in its smallest dimension and its boundary no further than five hundred (500) feet from any mobile home site served. Streets, parking areas, and laundry rooms are not to be included as recreation space in computing the necessary area.
23. All driveways, motor vehicle parking spaces, and walkways within such parks shall be hard surfaced and adequately drained and lighted for safety and ease of movement.
24. Minimum widths of roadways within parks shall be as follows:

<u>Motor Vehicle Parking</u>	<u>Traffic Use</u>	<u>Minimum Pavement Width</u>
Parking prohibited	2-way road	22 feet
Parallel parking, 1 side only	1-way road	21 feet
Parallel parking, 1 side only	2-way road	32 feet
Parallel parking, 2 sides	1-way road	31 feet
Parallel parking, 2 sides	2-way road	42 feet

25. Walkways shall be installed and shall be not less than four (4) feet in width, excepting that walkways designed for common use of not more than three (3) mobile home sites shall be not less than three (3) feet in width.
26. When exterior television antenna installation is necessary, a master antenna shall be installed and extended to individual stands by underground

lines. Such master antenna shall be so placed as not to be a nuisance to park residents or surrounding areas.

27. Two (2) automobile parking space shall be provided within one hundred fifty (150) feet of each mobile home site. The mobile home park shall provide one additional automobile parking space for every two mobile home stands.
28. No trailer designed for temporary or seasonal living shall be occupied in a mobile home park.

b. Mobile Home Subdivision:

1. All mobile homes to be erected as permanent residences in mobile home subdivisions shall meet the requirements of the Village of Hanover Building Code and shall be approved by the Zoning Inspector prior to erection on the lots.
2. Each mobile home approved for erection on a mobile home subdivision lot shall be mounted on a solid concrete apron no less than fourteen (14) feet in width, seventy (70) feet in length and four (4) inches in thickness or a suitable foundation.
3. Lot areas where a mobile home is to be erected, altered, or used as a single-family dwelling shall contain not less than seventy-five hundred (7,500) square feet of lot area if the lot is served by a central sanitary sewerage system. Where a lot is not so served, there shall be provided a minimum of fifteen thousand (15,000) square feet of lot area for each mobile home.
4. The minimum lot width for lots served with a central sanitary sewerage system shall be sixty (60) feet. Where a lot is not so served, the minimum lot width shall be one hundred twenty (120) feet.
5. The maximum lot coverage shall not exceed thirty (30) percent.
6. Each lot in a mobile home subdivision shall have a front yard of not less than thirty-five (35) feet.

7. Each lot in a mobile home subdivision shall have two (2) side yards and the least width of either yard shall not be less than ten (10) feet, but the sum of the two (2) side yards shall not be less than twenty-five (25) feet.
8. Each lot in a mobile home subdivision shall have a rear yard of not less than twenty (20) feet.
9. No building or structure, or part thereof, shall be erected to a height exceeding fifteen (15) feet.
10. All mobile homes to be erected and used in a mobile home subdivision shall contain a gross floor area of not less than six hundred (600) square feet.

C. Planned-Unit Development:

The purpose of this section is to permit flexibility for residential, commercial, and industrial development where large tracts of land are planned with integrated and harmonious design, and where the overall design of such units is so outstanding as to warrant modification by the Plng. Comm. of the regulations. Any planned-unit development to be eligible under this provision must comply with the following requirements.

1. The tract of land to be developed shall have a minimum area of not less than ten (10) acres.
2. The owner of the property shall submit to the Plng. Comm. a plan for the use development of the total tract of land as a planned-unit development in accordance with the provisions of SECTION 5.6, SITE PLAN REVIEW AND APPROVAL. In addition to the site plan data specified in SECTION 5.6, the application shall contain such other pertinent information as may be necessary to make a determination that the contemplated arrangement or use may make it desirable to apply regulations and requirements differing from those ordinarily applicable under this Ordinance.

The plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location, and density of structures, accessory uses thereto, and public facilities as

may be necessary for the welfare of the planned-unit development and not inconsistent with the best interests of the entire Village of Hanover.

3. The average density of structures of the tract shall not be greater than the density requirements in the district in which the planned unit development is located.
4. The use of land shall be in conformance with the permitted uses of the district in which the proposed plan is to be located.
5. The proposed development shall be served by adequate public facilities and service, such as: highways, streets, police and fire protection, drainage, structures, and refuse disposal. These facilities may be provided by a governmental or private organization.
6. The proposed unit shall be of such size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit, without dependence on any subsequent unit or development.
7. The common open-space, common properties, individual properties, and all other elements of the planned-unit development shall be so planned that they will achieve a unified environmental scheme, with open spaces and all other elements in appropriate locations, suitably related to each other, the site, and surrounding land.
8. The applicant may be required to dedicate land for street and park purposes by appropriate covenants, to restricting areas perpetually for the duration of the Planning Development as open space for common use. The development as authorized shall be subject to all conditions so imposed, and shall be exempt from other provisions of this Ordinance only to the extent specified in the authorization.

SECTION 5.5 - SITE PLAN REVIEW AND APPROVAL

It is recognized by this Ordinance that there is a value to the public in establishing safe and convenient traffic movement to higher density sites, both within the site and in relation to access streets; that there is value in encouraging a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses; further that there are benefits to the public in conserving natural resources. Toward this end, this Ordinance requires site plan review by the Planning Commission for certain buildings and structures that can be expected to have a significant impact on natural resources, traffic patterns, and on adjacent land usage.

5.5.1 Buildings, Structures, and Uses Requiring Site Plan:

The Zoning Inspector shall not issue a zoning compliance permit for the construction of the buildings and structures identified in this section unless a detailed site plan has been reviewed and approved by the Planning Commission and such approval is in effect.

- a. A multiple-family building containing six (6) or more dwelling units.
- b. More than one multiple-family building on a lot, parcel, or tract of land, or on a combination of lots under one ownership.
- c. A mobile home park.
- d. An office in any Residential District.
- e. Any gasoline service station abutting a Residential District.

5.5.2 Application and Fee for Site Plan Review:

Any person may file a request for a site plan review by the Plng. Comm. by filing with the Clerk the completed application upon the forms furnished by the Clerk and payment of a fee established by resolution of the Village of Hanover. As an integral part of said application, the applicant shall file at least four (4) copies of a site plan.

5.5.3 Planning Commission Review of Site Plan:

Upon receipt of such application from the Clerk, the Plng. Comm. shall undertake a study of the same and shall, within thirty (30) days, approve or disapprove such site plan, advising the applicant in writing of the recommendation, including any changes or modifications in the proposed site plan as are needed to achieve conformity to the standards specified in this Ordinance.

5.5.4 Required Data for Detailed Site Plan:

Every site plan submitted to the Plng. Comm. shall be in accordance with the following requirements:

- a. The site plan shall be of a scale not to be greater than one (1) inch equals twenty (20) feet nor less than one (1) inch equals two hundred (200) feet, and of such accuracy that the Planning Commission can readily interpret the site plan, and shall include more than one drawing where required for clarity.

- b. The property shall be identified by lot lines and location, including dimensions, angles and size, and correlated with the legal description of said property. Such plan shall further include the name and address of the property owner, developer, and designer.
- c. The site plan shall show the scale; north point; boundary dimensions; topography (at least two foot contour intervals); and natural features, such as, wood, lots, streams, rivers, lakes, drains, and similar features.
- d. The site plan shall show existing man-made features, such as buildings; structures; high tension towers; pipe lines; and existing utilities, such as, water and sewer lines, excavations, bridges, culverts, drains, and easements, and shall identify adjacent properties and their existing uses.
- e. The site plan shall show the location, proposed finished floor and grade line elevations, size of proposed principal and accessory buildings, their relation one to another and to any existing structure on the site, the height of all buildings, and square footage of floor space. Site plans for residential development shall include a density schedule showing the number of dwelling units per net acre, including a dwelling schedule showing the unit type and number of each unit type.
- f. The site plan shall show the proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; also, the location, size and number of parking spaces in the off-street parking area, and the identification of service lanes and service parking.
- g. The site plan shall show the proposed location, use, and size of open spaces; and the location of any landscaping, fences, or walls on the site. Any proposed alterations to the topography and other natural features shall be indicated. The site plan shall further show any proposed location of connections to existing utilities and proposed extensions thereof.
- h. A vicinity map shall be submitted showing the location of the site in relation to the surrounding street system.

5.5.5 Standards for Site Plan Review:

In reviewing the site plan, the Plng. Comm. shall ascertain whether the proposed site plan is consistent with all regulations of this Ordinance. Further, in consideration of each site plan, the Plng. Comm. shall find that provisions of subsections 5.6.3 and 5.6.4 of this Ordinance as well as the provisions of the zoning district in which said buildings, structures and uses as indicated in the proposed site plan have been satisfactorily demonstrated and met by the applicant.

5.5.6 Village of Hanover Approval of Site Plan:

Upon the Plng. Comm. recommended approval of a site plan, the applicant shall file with the Plng. Comm. one (1) copy thereof. The Clerk shall within ten (10) days transmit to the Zoning Inspector one (1) copy with the Clerk's certificate affixed thereto, certifying that said approved site plan conforms to the provisions of this Ordinance as determined. If the site plan is disapproved by the Plng. Comm., notification of such disapproval shall be given to the applicant within ten (10) days after such Board action. The Zoning Inspector shall not issue a zoning compliance permit until he has received a certified approved site plan.

5.5.7 Expiration of Site Plan Certificate:

The site plan certificate shall expire, and be of no effect, three hundred sixty-five (365) days after the date of issuance thereof, unless within such time the Zoning Inspector has issued a zoning compliance permit for any proposed work authorized under a said site plan certificate.

5.5.8 Amendment, Revision of Site Plan:

A site plan, and site plan certificate, issued thereon, may be amended by the Plng. Comm. upon the request of the applicant. Such amendment shall be made upon application and in accordance with the procedure provided in Section 5.6 of this Ordinance. Any fees paid in connection with such application may be waived or refunded at the discretion of the Planning Commission.

SECTION 5.6 - NONCONFORMITIES

Where within the districts established by this Ordinance, or by amendments, there exist lots, structures, and uses of land and structures which were lawful before this Ordinance was adopted

or amended and which would be prohibited, regulated, or restricted under the terms of this Ordinance, or future amendment; it is the intent of this Ordinance to permit these nonconformities to continue until they are discontinued, damaged, or removed but not to encourage their survival. These nonconformities are declared by this Ordinance to be incompatible with the lots, structures, and uses permitted by this Ordinance in certain districts. It is further the intent of this Ordinance that such nonconformities shall not be enlarged, expanded, or extended except as provided herein; nor to be used as ground for adding other lots, structures, or uses prohibited elsewhere in the same district.

5.6.1 Nonconforming Uses of Land:

Where, on the date of adoption or amendment of this Ordinance, a lawful use of land exists that is no longer permissible under the provisions of this Ordinance, such use may be continued; so long as it remains otherwise lawful, subject to the following provisions:

- a. No such nonconforming use of land shall be enlarged, expanded, or extended to occupy a greater area of land than was occupied on the effective date of adoption or amendment of this Ordinance; and no accessory use or structure shall be established therewith.
- b. No such nonconforming use of land shall be moved in whole or in part to any other portion of such land not occupied on the effective date of adoption or amendment of this Ordinance.
- c. If such nonconforming use of land ceases for any reason for a period of more than one hundred and eighty (180) consecutive days, the subsequent use of such land shall conform to the regulations and provisions set by this Ordinance for the district in which such land is located.

5.6.2 Nonconforming Structures:

Where, on the effective date of adoption or amendment of this Ordinance, a lawful structure exists that could not be built under the regulations of this Ordinance by reason of restrictions upon lot area, lot width, lot coverage, height, open spaces, or other characteristics of such structure or its location upon a lot, such structure may be continued so long as it remains otherwise lawful subject to the following provisions:

- a. No such structure shall be enlarged, expanded, extended, or altered in a way which increases its nonconformance.
- b. Should any such structure be destroyed by any means to an extent of more than fifty (50) per cent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- c. Should any such structure be moved for any reason, of any distance, it shall thereafter conform to the regulations of the district in which it is located after it is moved.

5.6.3 Nonconforming Uses of Structures:

Where, on the date of adoption or amendment of this Ordinance, a lawful use of a structure exists that is no longer permissible under the regulations of this Ordinance, such use may be continued so long as it remains otherwise lawful subject to the following provisions:

- a. No nonconforming use of a structure shall be enlarged, expanded, extended, or altered except in changing the use of such structure to a use permitted in the district in which such structure is located.
- b. When a nonconforming use of a structure is discontinued or abandoned for more than one hundred and eighty (180) consecutive days, the structure shall not thereafter be used except in conformance with the regulations of the district in which it is located.
- c. Any structure devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not to exceed ten (10) per cent of the then current replacement value of the structure, provided that the volume of such structure or the number of families housed therein as it existed on the date of adoption or amendment of this Ordinance shall not be increased. Nothing in this Ordinance shall be deemed to prevent the strengthening or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official.

- d. Should any structure containing a nonconforming use be moved, for any reason of any distance, it shall thereafter conform to the regulations of the district in which it is located after it is moved.
- e. Should any structure devoted in whole or in part to any nonconforming use be destroyed by any means to an extent of more than fifty (50) per cent of its replacement cost at the time of destruction, it shall not be reconstructed and again be devoted to any use except in conformity with the regulations of the district in which it is located.

5.6.4 Change of Tenancy or Ownership:

There may be a change of tenancy, ownership, or management of an existing nonconforming use, building, or structure; provided there is no change in the nature or character of such nonconforming use, building, or structure.

5.6.5 Nonconforming Lots:

Any lot which was lawful at the time of the effective date of adoption or amendment of this Ordinance, but does not comply with all the provisions of this Ordinance may be continued in use; provided however, the change in use of, or the location, modification, or construction of any structure on such lot shall not be permitted; except upon a variance approved by the Board of Zoning Appeals based upon a finding that such a variance is warranted, and subject to such conditions as the Board of Zoning Appeals may find necessary to provide for the public health, safety, morals, and general welfare.

SECTION 5.7- PERFORMANCE STANDARDS

5.7.1 Requirements:

No lot, building, or structure in any district shall be used in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable element or condition so as to adversely affect the surrounding area or adjoining premises. Uses in all districts, where permitted, shall comply with the following performance requirements:

a. Noise:

Noise which is objectionable due to volume, frequency, or beat shall be muffled or otherwise controlled so that there is no production of sound discernable at lot lines in excess of the average intensity of street and traffic noise at the lot lines. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.

b. Vibration:

No vibration shall be permitted which is discernable without instruments on any adjoining lot or property.

c. Smoke:

Smoke shall not be emitted with a density greater than No. 1 on the Ringelman Chart as issued by the U. S. Bureau of Mines except for blow-off periods of ten (10) minutes duration of one (1) per hour when a density of not more than No. 2 is permitted.

d. Odor:

No malodorous gas or matter shall be permitted which is offensive or as to produce a public nuisance or hazard on any adjoining lot or property.

e. Air Pollution:

No pollution of air by fly-ash, dust, vapors, or other substances shall be permitted which is harmful to health, animals, vegetation, or other property, or which can cause excessive soiling.

f. Glare:

No direct or reflected glare shall be permitted which is visible from any property or from any public street, road, or highway.

g. Erosion:

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties, lakes, ponds, rivers, or streams.

5.7.2 Plans:

The application for a zoning compliance permit for a use subject to performance requirements shall be accompanied by a description of the machinery, process, and products; and specifications for the mechanisms and techniques to be used in meeting the performance standards.

5.7.3 Enforcement:

The Zoning Inspector may refer the application to one or more expert consultants qualified to advise as to whether a proposed use will conform to the performance standards.

The costs of such services shall be borne by the applicant, and a copy of any report shall be furnished to the applicant and the Village of Hanover.

SECTION 5.8 - STORAGE OF MATERIALS

The location or storage of abandoned, discarded, unused, unusable, or inoperative vehicles, appliances, furniture, equipment, or material shall be regulated as follows:

- A. On any lot in any agricultural district, residential district, or commercial district, the owner or tenant, but not for hire or for business, shall locate and store such materials within a completely enclosed building.
- B. On any lot in any industrial district, the owner or tenant, whether or not for hire or for business, shall locate and store such materials within a completely enclosed building or within an area surrounded by a solid, unpierced fence or wall at least seven (7) feet in height and not less in height than the materials located or stored therein, and not closer to the lot lines than the minimum yard requirements for buildings permitted in said districts.
- C. Nothing in this Ordinance shall permit the storage or parking of any vehicle or non-permanent structure within the required front yard of any lot within a residential district, except that the parking of a passenger vehicle on a driveway located on private property shall not be prohibited.

SECTION 5.9 - MOBILE HOMES AND TRAVEL TRAILERS

- A. No mobile home shall be used other than as a single-family dwelling and in a duly licensed Mobile Home Park or in a Mobile Home Subdivision, except a mobile home may be used as a temporary field office provided it is certified as such by the Zoning Inspector.
- B. The Zoning Inspector shall have authority to grant a permit for the temporary occupancy of mobile homes on any lot in a residential district subject to the following conditions:
 - 1. During the period of construction of a new permanent dwelling, but not to exceed a period of twelve (12) consecutive months, the owner of such permanent dwelling premises, and members of such owner's immediate family, shall be permitted to occupy as a temporary residence one mobile home situated at such construction site provided that such owner intends to occupy as a residence such dwelling upon completion of its construction.

2. Such mobile home shall not be located between the established setback line and the public right-of-way line of such premises.
3. The mobile home shall contain sleeping accommodations, a flush toilet, and a tub or shower bath adequate to serve the occupants thereof.
4. The sanitary facilities of the mobile home for the disposal of sewage and waste shall be properly connected to the central sewerage system available at such premises and in case such system is not there available, then properly connected to the existing septic tank sewage disposal system which is approved by the Jackson County Health Department for the permanent dwelling to be constructed thereat.

SECTION 5.10 - VISIBILITY AT INTERSECTIONS

On any corner lot in any zoning district requiring front and side yards, no fence, wall, hedge, screen, sign, structure, vegetation, or planting shall be allowed to impede vision between a height of three (3) feet and eight (8) feet above the centerline grades within the triangular area formed by the intersecting street right-of-way lines and a straight line joining the two (2) street lines at points which are thirty (30) feet distant from the point of intersection, measured along the street right-of-way line.

SECTION 5.11 - ACCESS TO PUBLIC STREETS

- A. In any residential district, commercial district, and industrial district, every use, building, or structure established after the effective date of this Ordinance shall be on a lot or parcel which adjoins a public street.
- B. In any agricultural district every use, building, or structure established after the effective date of this Ordinance shall be on a lot or parcel which adjoins a public or private easement of access to a public street.

SECTION 5.12 - FLOOD PLAINS

Notwithstanding any other provisions of this Ordinance, land subject to periodic flooding shall be used only for agriculture and recreation uses, provided no structures are located within the area subject to flooding.

The location and boundaries of land subject to periodic flooding shall be determined by reference to the U. S. Soil Conservation Service, the U. S. Army Corps of Engineers, or other official authority.

SECTION 5.13 - HOME OCCUPATION

A home occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. The following additional conditions shall be observed:

- A. Such home occupation shall be carried on within the dwelling or within a building accessory thereto and entirely by the inhabitants thereof.
- B. No article shall be sold or offered for sale on the premises except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
- C. There shall be no exterior storage of materials or equipment.
- D. Off-street parking shall be provided to meet the requirements of Section 5.3.7.

SECTION 5.14 - FENCES

Fences in all districts are subject to the following conditions:

Fences which enclose property shall not exceed five (5) feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the dwelling or the required minimum front yard, whichever is greater.

SECTION 5.15 - TEMPORARY USE

Circuses, carnivals, or other transient enterprises may be permitted in any district, upon approval by the Board of Appeals based upon finding that the location of such an activity will not adversely affect adjoining properties, nor adversely affect public health, safety, morals, and the general welfare.

SECTION 5.16 - ESSENTIAL SERVICES

- A. Nothing in this Ordinance shall prohibit the provision of essential services, provided the installation of such service does not violate any other applicable provision of this Ordinance.
- B. Nothing in this section shall be construed to permit the erection, construction, or enlargement of any building, tower, or maintenance depot for provision of an essential service except as otherwise permitted in this Ordinance.

SECTION 5.17 - CURB CUTS AND DRIVEWAYS

Curb cuts and driveways may be located only upon approval by the Zoning Inspector and such other county and state authorities as required by law; provided however, such approval shall not be given where such curb cuts and driveways shall unnecessarily increase traffic hazards.

ARTICLE VI

ADMINISTRATION OF THE ORDINANCE

SECTION 6.1 - PURPOSE

It is the purpose of this Article to provide the procedures for the administration of this Ordinance, issuance of permits, inspection of properties, collection of fees, handling of violators, and enforcement of the provisions of this Ordinance and amendments thereto.

SECTION 6.2 - ADMINISTRATION

Except when herein otherwise stated the provisions of this Ordinance shall be administered by the Zoning Inspector or by such deputies of his department as the Village of Hanover may designate to enforce the provisions of this Ordinance.

SECTION 6.3 - DUTIES OF ZONING INSPECTOR

The Zoning Inspector shall have the power to grant zoning compliance permits and certificates of occupancy and to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Zoning Inspector to approve plans or issue any permits or certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform with this Ordinance, nor shall the Zoning Inspector vary or change any terms of this Ordinance.

If the Zoning Inspector shall find that any of the provisions of this Ordinance are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of any lot or structures; removal of illegal structures, or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

The Zoning Inspector shall submit to the Planning Commission and the Village of Hanover quarterly reports fully explaining the type and nature of uses permitted by right; the nature and extent of violations of this Ordinance; and the type and nature of non-conforming uses, buildings, and structures. The Zoning Inspector shall maintain a record of all zoning compliance permits and certificates of occupancy.

SECTION 6.4 - ZONING COMPLIANCE PERMITS

6.4.1 Issuance of Zoning Compliance Permits:

No building or structure, or part thereof, shall hereafter be located, erected, constructed, reconstructed, altered, converted, or enlarged or moved; nor shall any change be made in the use of any building, structure, or land without a zoning compliance permit having been obtained from the Zoning Inspector for such building, structure, or land. A zoning compliance application shall be filled out and submitted to the Zoning Inspector.

The Zoning Inspector shall require that all applications for zoning compliance permits shall be accompanied by plans and specifications including a plot plan in duplicate, drawn to scale, showing the following information:

- a. The actual dimensions and shape of the lot to be built upon; and,
- b. The exact size and location of existing structures on the lot, if any; and
- c. The location and dimensions of the proposed structure or alteration.

One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector after such copy has been approved or disapproved, and attested to same by the Zoning Inspector's signature on such copy. The Zoning Inspector shall retain the original copy, similarly marked, for his files. Whenever the buildings, structures, and uses as set forth in the application are in conformity with the provisions of this Ordinance, the Zoning Inspector shall issue the applicant a zoning compliance permit within ten (10) days of the filing thereof. Where action of the Board of Appeals or the Plng. Comm. is required in any case, as set forth in this Ordinance, the Zoning Inspector shall issue such permit promptly following such action.

6.4.2 Voiding of Zoning Compliance Permit:

Any zoning compliance permit granted under this Ordinance shall become null and void and fees forfeited unless construction and/or use completed within five hundred forty-five (545) days of the date of issuance. A zoning compliance permit shall be renewable upon reapplication and upon payment of the fee, subject however, to the provisions of all ordinances in effect at the time of renewal.

SECTION 6.5 - CERTIFICATE OF OCCUPANCY, FINAL INSPECTION

6.5.1 Issuance of Certificate of Occupancy:

No building or structure, or part thereof, shall be occupied by or for any use for which a zoning compliance permit is required by this Ordinance unless and until a certificate of occupancy shall have been issued for such use. The holder of a zoning compliance permit for the construction, erection, or moving of any building, structure or part thereof, for the establishment of a use, shall make application to the Zoning Inspector immediately upon the completion of the work authorized by the zoning compliance permit for a final inspection.

A certificate of occupancy shall be issued by the Zoning Inspector within five (5) days after receipt of such application if it is found that the building or structure, or part thereof, is in accordance with the provisions of this Ordinance.

6.5.2 Voiding of Certificate of Occupancy:

Any certificate of occupancy granted under this Ordinance shall become null and void if such use, buildings, or structure for which said certificate was issued are found by the Zoning Inspector to be in violation of this Ordinance. The Zoning Inspector upon finding such violation shall immediately notify the Village of Hanover of said violation and void the certificate of occupancy.

SECTION 6.6 - FEES, CHARGES, AND EXPENSES

The Village of Hanover shall establish a schedule of fees, charges and expenses, and a collection procedure for zoning compliance permits, certificates of occupancy, appeals and other matters pertaining to the Ordinance. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Village of Hanover. No permit, certificate, conditional use on approval, or variance shall be issued unless or until such costs, charges, fees, or expenses listed in this Ordinance have been paid in full, nor shall any action be taken on proceedings before the Board of Appeals, unless or until preliminary charges and fees have been paid in full.

SECTION 6.7 - VIOLATIONS AND PENALTIES: NUISANCE PER SE: ABATEMENT

Uses of land and dwellings, buildings, or structures including tents and trailer coaches used, erected, altered, razed, or converted in violation of any provision of this Ordinance are hereby declared to be a nuisance per se. The court shall order

such nuisance abated and the owner and/or agent in charge of such dwelling, building, structure, tent, trailer coach, or land shall be adjudged guilty of maintaining a nuisance per se. Anyone violating the provisions of this Ordinance shall upon conviction thereof be subject to a fine of not more than five hundred (\$500.00) dollars and the costs of prosecution thereof, by imprisonment in the County Jail for a period not to exceed thirty (30) days, or both. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

ARTICLE VII

BOARD OF APPEALS

SECTION 7.1 - BOARD OF APPEALS ESTABLISHED

There is hereby established a Board of Appeals, which shall perform its duties and exercise its powers as provided in Act 184 of the Public Acts of 1943, as amended, in such a way that the objectives of this Ordinance shall be observed, the public health and safety secured, and substantial justice done.

SECTION 7.2 - DUTIES OF THE BOARD OF APPEALS

The Board of Appeals shall hear and decide only such matters as the Board of Appeals is specifically authorized to pass on as provided in this Ordinance. The Board of Appeals shall not have the power to alter or change the zoning districts classification of any property; nor to make any changes in the terms of this Ordinance; but does have the power to authorize a variance as defined in this Ordinance, to act on those matters where this Ordinance may require an interpretation, and to issue a temporary use permit when authorized by this Ordinance.

SECTION 7.3 - VARIANCE

The Board of Appeals may authorize, upon an appeal, a variance from the strict applications of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape, or contour of a specific tract of land at the time of enactment of this Ordinance or by reason of exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property. No variance shall be granted to permit the establishment within a district of any use which is excluded or for which a conditional use permit is required.

A variance from the terms of this Ordinance shall not be granted by the Board of Appeals unless and until:

- A. A written application for a variance is submitted, demonstrating the following:
 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 3. That the special conditions and circumstances do not result from the actions of the applicant.
 4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
 5. That no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.
- B. The Board of Appeals shall determine that the requirements of the Ordinance have been met by the applicant for a variance.
 - C. The Board of Appeals shall determine that the reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - D. The Board of Appeals shall determine that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
 - E. In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance.
 - F. Each variance granted under the provisions of this Ordinance shall become null and void unless:
 1. The construction authorized by such variance or permit has been commenced within one hundred eighty (180) days after the granting of such variance and pursued diligently to completion; or
 2. The occupancy of land or buildings authorized by such variance has taken place within one hundred eighty (180) days after the granting of such variance.

- G. No application for a variance which has been denied wholly or in part by the Board of Appeals shall be resubmitted for a period of three hundred sixty-five (365) days from such denial, except on grounds of new evidence or proof of changed conditions found by the Board of Appeals to be valid.

SECTION 7.4 - INTERPRETATION OF ZONING ORDINANCE

The Board of Appeals shall hear and decide appeals where it is alleged by the applicant there is an error in any order, requirement, permit, decision, or refusal made by the Zoning Inspector or any other administrative official in carrying out or enforcing any provisions of this Ordinance including interpretations of the Zoning Map.

SECTION 7.5 - APPEALS TO THE BOARD OF APPEALS

7.5.1 Appeals, How Taken:

Appeal from the ruling of the Zoning Inspector or the Village of Hanover concerning the enforcement of the provisions of this Ordinance may be made to the Board of Appeals within such time as shall be prescribed by the Board of Appeals by general rule, by the filing with the officer from whom the appeal is taken. This officer shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed was taken.

7.5.2 Who May Appeal:

Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, agency, or bureau of the Township, Village, City, County, or State.

7.5.3 Fee for Appeal:

A fee prescribed by the Village of Hanover shall be paid to the Board of Appeals at the time of filing the notice of appeal which the Board of Appeals shall pay over, within thirty (30) days after deciding any appeal, to the General Fund of the Village of Hanover.

7.5.4 Effect of Appeal; Restraining Order:

An appeal stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the Board of Appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property,

in which case proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court, on application, of notice to the officer from whom the appeal is taken and on due cause shown.

7.5.5 Notice of Hearing:

When a request for an appeal has been filed in proper form with the Board of Appeals, the Board of Appeals Secretary or Village of Hanover Clerk shall immediately place the said request for appeal upon the calander for hearing, and cause notice, stating the time, place, and object of the hearing to be served personally or by registered return receipt mail at least ten (10) days prior to the date of such hearing, upon the party or parties making the request for appeal.

7.5.6 Representation of Hearing:

Upon the hearing, any party or parties may appear in person or by agent or by attorney.

7.5.7 Decisions of the Board of Appeals and Appeals to the Circuit Court:

The Board of Appeals shall decide upon all matters within a reasonable time and may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the Zoning Inspector or Village of Hanover from whom the appeal is taken. The Board of Appeals's decision of such appeals shall be in the form of a resolution containing a full record of the findings and determination of the Board of Appeals in each particular case. Any person having an interest affected by such resolution shall have the right to appeal to the Circuit Court or question of law and fact.

ARTICLE VIII

AMENDMENT PROCEDURES

SECTION 8.1 - INITIATING AMENDMENTS AND FEE

The Village of Hanover may, from time to time, on recommendation from the Planning Commission on its own motion amend, modify, supplement, or revise the district boundaries or the provisions and regulations herein established whenever the public necessity and convenience and the general welfare require such amendment. Said amendment may be initiated by resolution of the Village of Hanover, the Planning Commission, or by petition of one or more owners of property to be affected by the proposed amendment. Except for the Village of Hanover or the Planning Commission, the petitioner requesting an amendment shall at the time of application pay the fee established by resolution of the Village of Hanover, no part of which shall be returnable to the petitioner.

SECTION 8.2 - AMENDMENT PROCEDURES

The procedure for making amendments to this Ordinance shall be in accordance with Act 207 of the Public Acts of 1921 for Villages and Cities.

SECTION 8.3 - CONFORMANCE TO COURT DECREE

Any amendment for the purpose of conforming a provision thereof to the decree of a court of competent jurisdiction shall be adopted by the Village of Hanover and the amendments published without referring the same to any other board or agency.

ARTICLE IX
LEGAL STATUS

SECTION 9.1 - CONFLICT WITH OTHER LAWS

Conflicting laws of a more restrictive nature are not affected or repealed by this Ordinance. The provisions of this Ordinance shall be considered as minimum. Conflicting laws of a less restrictive nature, or those conflicting in other ways than degrees of restrictiveness, are hereby repealed.

This Ordinance is not intended to abrogate or annul any easement, covenant, or other private agreement provided that where any provision of this Ordinance is more restrictive or imposes a higher standard or requirement than such easement, covenant, or other private agreement, the provision of this Ordinance shall govern.

SECTION 9.2 - VALIDITY AND SEVERABILITY CLAUSE

If any court of competent jurisdiction shall declare any part of this Ordinance to be invalid, such ruling shall not affect any other provisions of this Ordinance not included in said ruling. If any court of competent jurisdiction shall declare invalid the application of any provision of this Ordinance to a particular land, parcel, lot, district, use, building, or structure, such ruling shall not affect the application of said provision to any other land, parcel, lot, district, use, building, or structure not specifically included in said ruling.

SECTION 9.3 - PERIOD OF EFFECTIVENESS

This Ordinance shall remain in full force and effect henceforth unless repealed.

SECTION 9.4 - REPEAL OF ORDINANCE

The "Zoning Ordinance of the Village of Hanover, Michigan" adopted on _____, and all amendments thereto are hereby repealed effective coincident with the effective date of this Ordinance.

SECTION 9.5 - EFFECTIVE DATE

This Ordinance was adopted by the Council of Hanover Village Jackson County, Michigan, at a meeting held on _____, 19____, and notice ordered published in _____, a newspaper having general circulation in said Village of Hanover.

Date: _____
President

Date: _____
Clerk